

Message Text

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PAGE 01 BANGUI 01997 141155Z
ACTION L-03

INFO OCT-01 AF-10 ISO-00 JUSE-00 SCSE-00 CA-01 /015 W
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R 141115Z SEP 77
FM AMEMBASSY BANGUI
TO SECSTATE WASHDC 9251
INFO AMEMBASSY LAGOS

UNCLAS BANGUI 1997

DEPT ALSO PASS FOREIGN LITIGATION SECTION, CIVIL DIVISION,
DEPARTMENT OF JUSTICE

E.O.11652: N/A
TAGS: ACLM
SUBJ: STEVER VS. PAN AFRICAN AIRWAYS

REF: STATE 129839; BANGUI 909

1. CONTRARY TO OUR EARLIER UNDERSTANDING, STEVER CASE WAS NOT
POSTPONED UNTIL OCTOBER BUT WAS CONSIDERED AT COURT SESSION
SEPTEMBER 10. LAWYER ONEGLIA HAS ADVISED US THAT, GIVEN ABSENCE
OF USG REPRESENTATION, COURT DECIDED TO PROCEED IN ACCORDANCE
WITH ARTICLE 54 OF THE DECREE OF MAY 11, 1914 CONCERNING
PROCEDURE, ACCORDING TO WHICH:

A. IF ONE OF THE DEFENDANTS DOES NOT APPEAR, HE WILL BE FOUND
IN DEFAULT WITHOUT JUDGMENT FOR THE PLAINTIFF.

B. PARTY IN DEFAULT IS NOTIFIED OF DEFAULT AND SUBPOENAED
FOR A NEW DATED FIXED BY THE JUDGE.

C. IF THERE IS ANOTHER FAILURE TO APPEAR, JUDGMENT WILL BE
AGAINST ALL DEFENDANTS, PRESENT OR ABSENT, AND CANNOT BE OPPOSED.

2. THE CASE WILL COME UP AGAIN SEPTEMBER 24, WHEN THE US MAY BE
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FOUND IN DEFAULT FOR FAILING TO RESPOND TO SUBPOENA. IF SO,
THEN DATE WILL BE SET FOR ISSUING ANOTHER SUBPOENA.

3. AS YET ONEGLIA HAS MADE NO APPEARANCE IN BEHALF OF USG.
PLEASE ADVISE WHAT POSITION IF ANY WE SHOULD TAKE AT SEPTEMBER
24 HEARING.SMITH

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NNN

Message Attributes

Automatic Decaptioning: X
Capture Date: 01-Jan-1994 12:00:00 am
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Decaption Note:
Disposition Action: n/a
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment:
Disposition Date: 01-Jan-1960 12:00:00 am
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
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Executive Order: N/A
Errors: N/A
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Original Previous Classification: n/a
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